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TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

13 pgs

Application Number

10/553,386

Filing Date

October 17, 2005

First Named Inventor

Paul HALLENBECK

Art Unit

Examiner Name

Total Number of Pages in This Submission

13 pgs

Attorney Docket Number

3802-166-27 NATL

ENCLOSURES (Check all that apply)

Fee Transmittal Form
 Fee Attached

Amendment/Reply
 After Final
 Affidavits/declaration(s)

Extension of Time Request

Express Abandonment Request

Information Disclosure Statement

Certified Copy of Priority Document(s)

Reply to Missing Parts/ Incomplete Application
 Reply to Missing Parts under 37 CFR 1.52 or 1.53

Drawing(s)
 Licensing-related Papers

Petition
 Petition to Convert to a Provisional Application
 Power of Attorney, Revocation
 Change of Correspondence Address
 Terminal Disclaimer
 Request for Refund
 CD, Number of CD(s) _____
 Landscape Table on CD

After Allowance Communication to TC
 Appeal Communication to Board of Appeals and Interferences
 Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
 Proprietary Information
 Status Letter
 Other Enclosure(s) (please identify below):
 Sixty-three (63) References
 List of Related Cases
 Return-receipt postcard

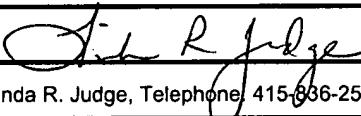
Remarks

The Commissioner is authorized to charge any deficiencies in fees and credit any overpayment of fees to Deposit Account No. 07-1896. A duplicate page is enclosed.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	DLA Piper Rudnick Gray Cary US LLP, 1200 Nineteenth Street, N.W., Washington, DD 20036-2412
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Signature



Printed name	Linda R. Judge, Telephone 415-836-2586, Facsimile: 415-836-2501
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Date

February 22, 2006

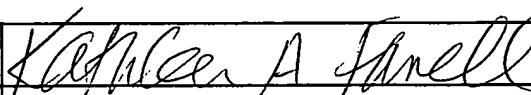
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42,702

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Kathleen A. Farrell

Date

February 22, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form, to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application Number	10/553,386
				Filing Date	October 17, 2005
				First Named Inventor	Paul HALLENBECK, et al.
				Art Unit	
				Examiner Name	
Sheet	1	of	2	Attorney Docket Number	3802-166-27 NATL

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with the provisions of 37 C.F.R. § 1.56(a) and 37 C.F.R. § 1.97, Applicant(s) hereby make of record the references listed on the accompanying form, SB/08A and/or SB/08b for consideration by the Examiner in connection with the examination of the above-identified patent application.

This Information Disclosure Statement:

- (a) accompanies a new patent application submitted herewith.
- (b) is filed within three (3) months of the Filing Date or before the mailing date of a First Office Action on the merits; OR
- (c) is filed after the first Office Action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is known to the undersigned prior to the mailing date of either a final rejection or a notice of allowance, and is accompanied by either the fee (\$180) set forth in 37 CFR § 1.17(p) or a certification as specified in 37 CFR § 1.97(e), as checked below OR
- (d) is filed after the mailing date of either a final rejection or a notice of allowance, and the issue fee has not been paid, and is accompanied by the requisite petition fee (\$130) set forth in 37 CFR § 1.17(l)(1) and a certification as specified in 37 CFR § 1.97(e), as checked below.
This document is to be considered as a petition requesting consideration of the information disclosure statement.

As required under § 1.97(e), Applicants, through the undersigned, hereby state either that [check the appropriate space]:

- (e) Each item of information contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of the Information Disclosure Statement; or
- (f) No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

Each item of information listed in the attached FORM PTO/SB/08a and/or SB/08b may be material to the examination of the above-identified application and is, therefore, submitted in compliance with the duty of disclosure defined in 37 CFR 1.56, 1.97 and 1.98. The Examiner is requested to make these items of official record in this application.

Pursuant to notice entitled "Information Disclosure Statements May Be Filed Without Copies Of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003," Off. Gaz. Pat. Office 55 (August 5, 2003), no copies of U.S. Patents and U.S. Published Patent Applications are being supplied with this Information Disclosure Statement.

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Sheet	2	of	2	Attorney Docket Number	3802-166-27 NATL

This Information Disclosure Statement under 37 CFR 1.56, 1.97 and 1.98 is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that any one or more of these items constitutes prior art.

If this statement crosses in the mail with an office action, or is otherwise not in the indicated category of 37 C.F.R. 1.97, it is respectfully requested that this statement be treated in the next appropriate category and made of record. To the extent required, please treat this submission as a conditional petition for acceptance of the information disclosure statement.

The Commissioner is authorized to charge any deficiencies and credit any overpayment of fees to our Deposit Account No. 07-1896.

Respectfully submitted,

Date: February 27, 2006

DLA Piper Rudnick Gray Cary US LLP



By: Linda R. Judge

Reg. No. 42,702

Attorneys for Applicant(s)

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Kathleen A. Farrell

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				Examiner Name	
Sheet	1	of	8	Attorney Docket Number	3802-166-27 NATL

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ^{2 (if known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
AA	US-2001/0053352		12/20/2001	De Chao YU et al.	
AB	US-2002/0168771		11/14/2002	Gary Eric GAMERMAN	
AC	US-2003/0068307		04/10/2003	De Chao YU et al.	
AD	US-2003/0104625		06/05/2003	Cheng CHENG et al.	
AE	US-2004/0002060		01/01/2004	Michael KALEKO et al.	
AF	US-5,543,328		08/06/1996	Alan MCCLELLAND et al.	
AG	US-5,731,190		03/24/1998	Thomas J. WICKHAM et al.	
AH	US-5,747,469		05/05/1998	Jack A. ROTH et al.	
AI	US-5,756,086		05/26/1998	Alan MCCLELLAND et al.	
AJ	US-5,801,029		09/01/1998	Francis MCCORMICK	
AK	US-5,846,945		12/08/1998	Francis MCCORMICK	
AL	US-5,874,283		02/23/1999	John J. HARRINGTON et al.	
AM	US-5,922,315		07/13/1999	Soumitra ROY	
AN	US-5,962,311		10/05/1999	Thomas J. WICKHAM et al.	
AO	US-5,994,128		11/30/1999	Frits J. FALLAUX et al.	
AP	US-6,033,908		03/07/2000	Abraham BOUT et al.	
AQ	US-6,057,155		05/02/2000	Thomas J. WICKHAM et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Number Country Code ³ -Number ⁴ -Kind Code ⁵ <i>(if known)</i>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
AR	WO 00/15820		03-23-2000	De Chao YU et al.		
AS	WO 00/46355		08-10-2000	Gregg B. MORIN et al.		
AT	WO 01/92299		12-06-2001	John L. JAKUBCZAK et al.		
AU	WO 02/067861		09-06-2002	Patricia C. RYAN et al.		
AV	WO 02/068627		09-06-2002	Thomas R. SAVITSKY et al.		
AW	WO 04/009790		01-29-2004	Yuanhao LI et al.		
AX	WO 98/07877		02-26-1998	Thomas J. WICKHAM et al.		
AY	WO 98/13508		04-02-1998	Howard A. FINE et al.		

Examiner Signature		Date Considered
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<p>Substitute for form 1449A/PTO</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p><i>(Use as many sheets as necessary)</i></p>				<p>Complete if Known</p>	
				Application Number	10/553,386
				Filing Date	October 17, 2005
				First Named Inventor	Paul HALLENBECK, et al.
				Art Unit	
				Examiner Name	
Sheet	2	of	8	Attorney Docket Number	3802-166-27 NATL

U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	BG	WO/98/14593	04-09-1998	Thomas R. CECH et al.		
	BH	WO 98/29555	07-09-1998	James R. BISCHOFF et al.		
	BI	WO 98/35554	08-20-1998	Loretta NIELSEN et al.		
	BJ	WO 98/39464	09-11-1998	Daniel R. HENDERSON et al.		
	BK	WO 98/39465	09-11-1998	Andrew S. LITTLE et al.		
	BL	WO 98/39466	09-11-1998	De Chao YU et al.		
	BM	WO 98/39467	09-11-1998	Henry G. LAMPARSKI et al.		
	BN	WO 99/06576	02-11-1999	De-Chao YU et al.		

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U. S. PATENT DOCUMENTS

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Sheet	4	of	8	Attorney Docket Number	3802-166-27 NATL

NON PATENT LITERATURE DOCUMENTS						
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.				T ²
	BQ	ALTSCHUL et al., "Basic Local Alignment Search Tool", J. Med. Biol., 1990, pp. 215:403-410, Volume 215, Academic Press Limited.				
	BR	BERKNER et al., "Generation of adenovirus by transfection of plasmids", Nucleic Acids Research, 1983, pp. 6003-6020, Volume 11, Number 17, IRL Press Limited, Oxford, England.				
	BS	BETT et al., "An efficient and flexible system for construction of adenovirus vectors with insertions or deletions in early regions 1 and 3", Proc. Natl. Acad. Sci., September 1994, pp. 8802-8806, Vol. 91, Medical Sciences.				
	BT	BITTER et al., "Expression and Secretion Vectors for Yeast", Methods in Enzymology, 1987, pp. 516-544, Vol. 153, Academic Press Inc.				
	BU	BLACKWOOD et al., "Going the Distance: A Current View of Enhancer Action", Science, July 3, 1998, pp. 60-63, Vol. 281.				
	BV	BRIDGE et al., "Redundant Control of Adenovirus Late Gene Expression by Early Region 4", Journal of Virology, Feb. 1989, pp. 631-638, Vol. 63, No. 2, American Society for Microbiology.				
	BW	CHAO et al., "Assembly of the Cleavage and Polyadenylation Apparatus Requires About 10 Seconds In Vivo and Is Faster for Strong than for Weak Poly(A) Sites", Molecular and Cellular Biology, August 1999, pp. 5588-5600, Vol. 19, No. 8, American Society for Microbiology.				
	BX	CHOO et al., "Immortalization of Human Prostate Epithelial Cells by HPV 16 E6/E7 Open Reading Frames", The Prostate 1999, pp. 150-158, Volume 40, Wiley-Liss, Inc.				
	BY	DAVIE et al., "The Coagulation Cascade: Initiation, Maintenance, and Regulation", Perspectives in Biochemistry, 1991, pp. 10363-10370, Volume 30, Number 43, American Chemical Society.				
	BZ	DONNELLY et al., "Analysis of the aphtahovirus 2A/2B polyprotein 'cleavage' mechanism indicates not a proteolytic reaction, but a novel translational effect: a putative ribosomal 'skip', Journal of General Virology, 2001, pp. 1013-1025, Vol. 82.				

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Sheet		5	of	8
		Attorney Docket Number 3802-166-27 NATL		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CA	DONNELLY et al., "The 'cleavage' activities of foot-and-mouth disease virus 2A site-directed mutants and naturally occurring '2A-like' sequences", Journal of General Virology, 2001, pp. 1027-1041, Vol. 82.	
	CB	DUKE et al., "Sequence and Structural Elements That Contribute to Efficient Encephalomyocarditis Virus RNA Translation", Journal of Virology, March, 1992, pp. 1602-1609, Vol. 66, No. 3, American Society for Microbiology.	
	CC	FALLAUX et al., "New Helper Cells and Matched Early Region 1-Deleted Adenovirus Vectors Prevent Generation of Replication-Competent Adenoviruses", Human Gene Therapy, September 1, 1998, pp. 1909-1917, Vol. 9, Mary Ann Liebert, Inc.	
	CD	FURLER et al., "Recombinant AAV vectors containing the foot and mouth disease virus 2A sequence confer efficient bicistronic gene expression in cultured cells and rat substantial nigra neurons", Gene Therapy, 2001, pp. 864-873, Vol. 8, Nature Publishing Group.	
	CE	GORZIGLIA et al., "Elimination of both E1 and E2a from Adenovirus Vectors Further Improves Prospects for In Vivo Human Gene Therapy", Journal of Virology, June, 1996, pp. 4173-4178, Vol. 70, No. 6, American Society of Microbiology.	
	CF	GRAHAM et al., "Characteristics of a Human Cell Line Transformed by DNA from Human Adenovirus Type 5", 1977, pp. 59-74, Vol. 36.	
	CG	HE et al., "A Simplified System for generating recombinant adenoviruses", Proc. Natl. Acad. Sci., March 1998, pp. 2509-2514, Vol. 95.	
	CH	HUEZ et al., "Two Independent Internal Ribosome Entry Sites Are Involved in Translation Initiation of Vascular Endothelial Growth Factor mRNA", Molecular and Cellular Biology, November 1998, pp. 6178-6190, Vol. 18, No. 11, American Society for Microbiology.	
	CI	JACKSON et al., "Internal initiation of translation in eukaryotes: The picornavirus paradigm and beyond", RNA, 1995, pp. 985-1000, Vol. 1, Cambridge University Press.	
	CJ	JACKSON et al., "Trends in Biochemistry Science", December 1990, pp. 477-483, Vol. 15, No. 12, Elsevier Science Publishers Ltd.	

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	CK	KORENCHUK, et al., "VCaP, A Cell-Based Model System of Human Prostate Cancer", In Vivo, 2001, pp. 163-168, Vol. 15, No. 2.			
	CL	KURACHI et al., "Proteolytic Enzymes: Serine and Cysteine Peptidases", Methods in Enzymology, 1994, Vol. 244, pp. 100-114, Academic Press.			
	CM	LOGAN et al., "Adenovirus tripartite leader sequence enhances translation of mRNAs later after infection", June 1984, Proc. Natl. Acad. Sci., pp. 3655-3659, Vol. 81, Biochemistry.			
	CN	McKINNON, et al., Tn 5 mutagenesis of the transforming genes of human adenovirus type 5", Gene, 1982, pp. 33-42, Vol. 19, Elsevier Biomedical Press.			
	CO	MULLIGAN et al., "Expression of a Bacterial Gene in Mammalian Cells", Science, 1980, pp. 1422-1427, Vol. 209, AAAS.			
	CP	NEEDLEMAN et al., "A General Method Applicable to the Search for Similarities in the Amino Acid Sequence of Two Proteins", J. Mol. Biol., 1970, pp. 443-453, Vol. 48.			
	CQ	PALMENBERG et al., "Proteolytic Processing of Picornaviral Polyprotein", Annual Reviews Microbiology, 1990, pp. 603-623, Vol. 44, Annual Reviews Inc.			
	CR	PAOLONI-GIACOBINO et al., "Cloning of the TMPRSS2 Gene, which Encodes a Novel Serine Protease with Transmembrane, LDLRA, and SRCR Domains and Maps to 21q22.3", Genomics, 1997, pp. 309-320, Vol. 44, Article No. GE974845, Academic Press.			
	CS	PARR et al., "Tumor-selective transgene expression in vivo mediated by an E2F-responsive adenoviral vector", Nature Medicine, October 1997, pp. 1145-1149, Vol. 3, Number 10.			
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Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, US. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application Number	10/553,386
(Use as many sheets as necessary)				Filing Date	October 17, 2005
				First Named Inventor	Paul HALLENBECK, et al.
				Art Unit	
				Examiner Name	
Sheet	7	of	8	Attorney Docket Number	3802-166-27 NATL

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T ²
	CU	RAO et al., "The adenovirus E1A proteins induce apoptosis, which is inhibited by the E1B 19-kDa and Bcl-2 proteins", Proc. Natl. Acad. Sci., August 1992, pp. 7742-7746, Vol. 89, Cell Biology.			
	CV	RAWLINGS et al., "Proteolytic Enzymes: Serine and Cysteine Peptidases", Methods in Enzymology, 1994, pp. 19-61, Vol. 244, Academic Press, Inc.			
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	CY	SOUTHERN et al., "Transformation of Mammalian Cells to Antibiotic Resistance with a Bacterial Gene Under Control of the SV40 Early Region Promoter", Journal of Molecular and Applied Genetics, 1982, pp. 327-341, Vol. 1, Raven Press.			
	CZ	SUGDEN et al., "A Vector that Replicates as a Plasmid and Can Be Efficiently Selected in B-Lymphoblasts Transformed by Epstein-Barr Virus", Molecular and Cellular Biology, February 1985, pp. 410-413, Vol. 5, No. 2, American Society for Microbiology.			
	DA	SWAMINATHAN et al., "Regulation of Adenovirus E2 Transcription Unit", Current Topics Microbiology Immunology, 1995, pp. 177-194, Vol. 199, Part 3.			
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	DC	TANIMOTO et al., "Hepsin, a Cell Surface Serine Protease Identified in Hepatoma Cells, Is Overexpressed in Ovarian Cancer", Cancer Research, 1997, pp. 2884-2887, Vol. 57.			
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Examiner Signature		Date Considered	
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	DE	TOLLEFSON et al., "The Adenovirus Death Protein (E3-11.6K) Is Required at Very Late Stages of Infection for Efficient Cell Lysis and Release of Adenovirus from Infected Cells", Journal of Virology, April 1996, pp. 2296-2306, Vol. 70, No. 4, American Society for Microbiology.			
	DF	TOLLEFSON et al., "The 11,600-M _w Protein Encoded by Region E3 of Adenovirus Is Expressed Early but Is Greatly Amplified at Late Stages of Infection", Journal of Virology, June 1992, pp. 3633-3642, Vol. 66, No. 6, American Society for Microbiology.			
	DG	VIRTANEN et al., "mRNAs from Human Adenovirus 2 Early Region 4", Journal of Virology, September 1984, pp. 822-831, Vol. 51, No. 3, American Society for Microbiology.			
	DH	WEINBERG et al., "A cell line that supports the growth of a defective early region 4 deletion mutant of human adenovirus type 2", Proc. Natl. Acad. Sci., September 1983, pp. 5383-5386, Vol. 80, Genetics.			
	DI	WOLD et al. Current Topics Microbiol. Immunol., 1995, pp. 237-274, Vol. 199.			

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Docket No: 3802-166-27 NATL

LIST OF RELATED CASES

Docket Number	Serial or Patent Number	Filing or Issue Date	Status
N/A	5998205	12/7/99	Granted
N/A	6551587	4/22/03	Granted
3802-204-27	6432700	8/13/02	Granted
3802-125-27	6692736	2/17/04	Granted
3802-126-27 CONT	04-0146489	10/21/03	Published
3802-137-27	5698443	12/16/97	Granted
3802-138-27 CIP	5871726	2/16/99	Granted
3802-139-27 CIP	6676935	1/13/04	Granted
3802-127-27	0068049-A1	12/6/00	Published
3802-144-27 CONT	04-0241857	4/13/04	Published
3802-143-27 CIP	03-0152553	5/2/02	Published
3802-131-27	5830686	11/3/98	Granted
3802-132-27 CIP	5648478	7/15/97	Granted
3802-133-27 CIP	6057299	5/2/00	Granted
3802-134-27 CONT	6136792	10/24/00	Granted
3802-197-27	6495130	12/17/02	Granted
3802-198-27 CONT	03-0118555	8/21/02	Published
3802-198-11 CONT2	11/153,458	6/16/05	Pending
N/A	6638762	10/28/03	Granted
3802-173-27 DIV	US-0009588	6/24/03	Published
3802-207-27	6197293	3/6/01	Granted
3802-208-27 CONT	6436394	8/20/02	Granted
3802-209-27 CONT	03-0091538	8/16/02	Published
3802-181-27	03-0068307	3/21/01	Published
3802-181-27CONT	11/166,234	6/27/05	Pending

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